

**PUBLIC SAFETY DEPARTMENT[661]**

**Notice of Intended Action**

**Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)"b."**

**Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.**

Pursuant to the authority of Iowa Code section 101.1, the State Fire Marshal hereby gives Notice of Intended Action to amend Chapter 221, "Flammable and Combustible Liquids," Iowa Administrative Code.

Iowa Code section 101.1 authorizes the State Fire Marshal to adopt rules for the safe transportation, storage, handling, and use of flammable liquids. This amendment is based upon the International Fire Code and relevant national standards published by the National Fire Protection Association.

Flooding of existing flammable liquid storage tanks at motor fuel dispensing facilities has left many of these facilities unable to meet the standards of the State Fire Marshal for aboveground storage of flammable liquids and the standards of the Department of Natural Resources for underground petroleum storage tanks.

The amendment proposed herein would provide standards for temporary emergency storage of flammable liquids in aboveground tanks in situations in which the usual storage provisions of a motor fuel dispensing facility are inoperable. These provisions would be available to facilities in areas covered by disaster emergency proclamations or otherwise approved by the State Fire Marshal. Generally, use of temporary flammable liquid storage would be allowed for 90 days.

A public hearing on this proposed amendment will be held on August 12, 2008, at 8 a.m. in the First Floor Public Conference Room (Room 125), State Public Safety Headquarters Building, 215 East 7th Street, Des Moines, Iowa 50319. The building and conference room are fully accessible. Persons may present their views orally or in writing at the public hearing. Persons who wish to make oral presentations at the public hearing should contact the Agency Rules Administrator, Iowa Department of Public Safety, Public Safety Headquarters Building, 215 East 7th Street, Des Moines, Iowa 50319; by telephone at (515)725-6185; or by electronic mail to [admrule@dps.state.ia.us](mailto:admrule@dps.state.ia.us), at least one day prior to the public hearing.

Any written comments or information regarding these proposed amendments may be directed to the Agency Rules Administrator by mail or electronic mail at the addresses indicated by 4:30 p.m. on August 11, 2008, or submitted at the public hearing. Persons who wish to convey their views orally other than at the public hearing may contact the Agency Rules Administrator by telephone or in person at the Department office by 4:30 p.m. on August 11, 2008.

This amendment was also Adopted and Filed Emergency, effective July 1, 2008, and is published herein as **ARC 6967B**. The content of that submission is incorporated by reference.

This amendment is intended to implement Iowa Code chapter 101.